

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re:

SHAKER GARDENS, INC.

Chapter 11

Case No.: 11-45116 (CEC)

Debtor.
-----X

ORDER

WHEREAS, by Notice of Motion dated September 16, 2011, Carver Federal Savings Bank (“**Carver**”), by its attorneys, Jaspan Schlesinger LLP, moved this Court for an Order pursuant to 11 U.S.C.S. §362 (d)(1) and (2) of the United States Bankruptcy Code and Rules 4001(a) and 9014 of the Federal Rules of Bankruptcy Procedure for relief from the automatic stay to permit the Carver to pursue its rights under applicable state law with respect to the property located at 76 Shaker Heights Drive, Monticello, New York (the “**Property**”);

WHEREAS, after a hearing and due deliberation having been had on October 5, 2011, the Court is of the opinion that the relief prayed for in the motion should be granted; accordingly

NOW, THEREFORE, IT IS HEREBY

ORDERED that the automatic stay pursuant to Section 362 of the Bankruptcy Code is hereby vacated pursuant to Section 362(d)(1) and (2) of the Bankruptcy Code to permit Carver to pursue all of its rights under applicable state law with respect to the Property, and it is further

ORDERED that the 14-day stay provision contained in Federal Rule of Bankruptcy Procedure Rule 4001(a)(3) is hereby waived and this Order shall be effective immediately.

**Dated: Brooklyn, New York
October 7, 2011**





Carla E. Craig
United States Bankruptcy Judge